

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ANTHONY CARTER, SR.,

Plaintiff,

v.

MARMON KEYSTONE,

Defendant.

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Civil Action No. 05-311-MPT

ORDER

At Wilmington, Delaware, this **29th** day of **March, 2007**.

Consistent with the Memorandum Opinion of today's date,

IT IS ORDERED and ADJUDGED that defendant Marmon Keystone Corporation's Motion to Dismiss (D.I. 15) is GRANTED and this matter is DISMISSED without prejudice.

/s/ Mary Pat Thyng

UNITED STATES MAGISTRATE JUDGE